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**FEB 17 2005**

<b>To:</b> Commissioner for Patents for Examiner Suresh Suryawanshi Group Art Unit 2115	<b>Facsimile No. 703-872-9306</b>
<b>From:</b> Rebecca Clayton Paralegal to Duke W. Yee	<b>No. of Pages Including Cover Sheet: 3</b>
<p><b>Enclosed herewith:</b></p> <ul style="list-style-type: none"> <li>• Transmittal document; and</li> <li>• Notice of Appeal.</li> </ul>	
<p><b>Re:</b> Application Serial No. 09/925,584 Attorney Docket No. AUS920010565US1</p>	
<p><b>Date:</b> Thursday, February 17, 2005</p>	
<p><b>Please contact us at (972) 385-8777 if you do not receive all pages indicated above or experience any difficulty in receiving this facsimile.</b></p>	<p><i>This Facsimile is intended only for the use of the addressee and, if the addressee is a client or their agent, contains privileged and confidential information. If you are not the intended recipient of this facsimile, you have received this facsimile inadvertently and in error. Any review, dissemination, distribution, or copying is strictly prohibited. If you received this facsimile in error, please notify us by telephone and return the facsimile to us immediately.</i></p>

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Austen et al.

Group Art Unit: 2115

Serial No.: 09/925,584

Examiner: Suryawanshi, Suresh

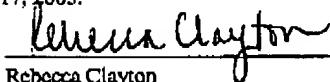
Filed: August 9, 2001

Attorney Docket No.: AUS920010565US1

For: Method, System, and Product for  
Booting a Partition Using One of  
Multiple, Different Firmware Images

Certificate of Transmission Under 37 C.F.R. § 1.8(a)  
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 February 17, 2005.

By:



Rebecca Clayton

TRANSMITTAL DOCUMENT

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

35525  
 PATENT TRADEMARK OFFICE  
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Sir:

ENCLOSED HEREWITHE:

- Notice of Appeal

A fee of \$500.00 is believed to be necessary. Please charge this fee to IBM Corporation Deposit Account 09-0447. In the event that any additional fees are required for the prosecution of this application, please charge any necessary fees to IBM Corporation Deposit Account 09-0447. No extension of time is believed to be necessary. If, however, an extension of time is needed, the extension is requested and the fee for this extension should be charged to IBM Corporation Deposit Account 09-0447.

Respectfully submitted,



Duke W. Yee  
 Registration No. 34,285  
 YEE & ASSOCIATES, P.C.  
 P.O. Box 802333  
 Dallas, Texas 75380  
 (972) 385-8777  
 ATTORNEY FOR APPLICANTS

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Austen et al.

§ Group Art Unit: 2115

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§ Examiner: Suryawanshi, Suresh

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By:

Rebecca Clayton



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FEB 17 2005

NOTICE OF APPEAL

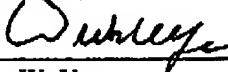
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the office action dated November 17, 2004 finally rejecting claims 1-24.

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